

Express Mail Label No. EV915638346US

Docket No.: 427008027US  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Plant Application of:  
Smith et al.

Application No.: 10/549,860

Filed: September 22, 2005

For: OVERLAY METROLOGY MARK

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Confirmation No.: 7177

Art Unit: N/A

Examiner: Not Yet Assigned

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**

MS PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Missing Requirements mailed May 17, 2006, Applicant respectfully submits a Declaration, a Preliminary Amendment, and Part 2 Copy of Notice.

Our check in the amount of \$130.00 covering the fee set forth in 37 CFR 1.16(f) is enclosed. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter

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Application No.: 10/549,860

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filed in this application by this firm) to our Deposit Account No. 50-0665, under Order No. 427008027US. A duplicate copy of this paper is enclosed.

Dated: 13 July 2006

Respectfully submitted,

By P. T. Parker

Paul T. Parker

Registration No.: 38,264

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Express Mail Label No. EV915638346US

**DOCKETED**427008027US  
DTP/MN**UNITED STATES PATENT AND TRADEMARK OFFICE**

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/549,860	Nigel Peter Smith	427008027US

INTERNATIONAL APPLICATION NO.

PCT/GB04/01536

I.A. FILING DATE	PRIORITY DATE
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04/08/2004

04/08/2003

25096  
 PERKINS COIE LLP  
 PATENT-SEA  
 P.O. BOX 1247  
 SEATTLE, WA 98111-1247

RECEIVED  
 PATENT DOCKETING

MAY 22 2006

PERKINS COIE LLP

CONFIRMATION NO. 7177

371 FORMALITIES LETTER



\*OC000000018825409\*

Date Mailed: 05/17/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 09/22/2005
- Copy of the International Search Report filed on 09/22/2005
- Preliminary Amendments filed on 09/22/2005
- U.S. Basic National Fees filed on 09/22/2005
- Specification filed on 09/22/2005
- Claims filed on 09/22/2005
- Abstracts filed on 09/22/2005
- Drawings filed on 09/22/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$1300 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

[/STANDARD.01]

7/11/06

Total additional fees required for this application is **\$1430** for a Large Entity:

- **\$130** Surcharge.
- Total additional claim fee(s) for this application is \$ 1300
  - **\$1300** for 31 total claims over 20.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DARRELL C COTTMAN

Telephone: (703) 308-9140 EXT 203

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/549,860	PCT/GB04/01536	427008027US